

FACT SHEET: DELRAY/ NITC BRIDGE TO CANADA



Community Vision for the New International Trade Crossing—NITC

A new Delray Bridge to Canada can be an opportunity for the entire border region and the local community to create *truly win-win development*. This international project will have environmental justice impacts on the Delray community that is 69% minority and poor. The area is already host to the state's only oil refinery, a tri-county wastewater treatment plant, the state's largest rail yard, three major highways, and multiple heavy industries. Despite these challenges, Southwest Detroit is the most vibrant and diverse community in Detroit with a flourishing retail sector and strong neighborhood organizations.

Hundreds of residents and stakeholders formed a Community Benefits Coalition in support of a new publicly-owned bridge *with benefits* to the community for a sustainable development and better quality of life.

Impacts of the project

- location of a 160-acre customs plaza behind Southwestern High School
- 693 residents (257 dwellings) will be relocated
- 43 businesses and 5 churches will be relocated; 685 employees will be affected
- truck traffic is projected to increase 128% by 2035, increasing the amount of diesel emissions
- 50 trucks per peak hour drive on some residential streets, which could increase to 100 in peak hours

Potential Investments for Win-Win Development

The coalition supports a public bridge to provide greater safety, transparent public-oversight, and the ability to address impacts into the future. A Delray bridge would be a direct link to Canadian freeways which would reduce congestion and emissions for the region. However, emissions around the plaza will increase in the local neighborhood and air quality must be addressed for successful development that benefits all.

The community has been working with MDOT for over five years and created a vision for revitalization. With MDOT's assistance the community was awarded \$1.9-million in federal HOME funding to build 26 new houses in Delray, so relocating residents have the option of new, energy efficient homes at no cost to them. Residents are eager for this positive development in their gateway neighborhood.

More progress is needed. Proposed investments do not yet go far enough to address community impacts and provide for sustainable development. The community is seeking these investments for success:

Jobs, training, and economic development: Job training and guarantees for local hiring. A plan to attract logistics and supply-chain industry. Business retention and incubation strategies. Programs for English as a second language. Creation of a Tax-Credit Zone.

Housing and sustainable neighborhood: Fair compensation for homes acquired. Build affordable green replacement housing to allow all dislocated families who desire so to remain in the neighborhood. Legislation to address tax increases. Protect & improve remaining homes affected by the project. Designate new truck routes to improve quality of life. Improve and maintain roads, sidewalks, and lights.

Air quality and health: Ongoing monitoring of air quality and health. Air filtration at nearby schools. Idle-reduction and diesel reduction programs for truck fleets crossing the border to reduce emissions exposure.

Green development: Create new Delray parks and green spaces to cleanse the air and link to riverfront. Incorporate alternative energy for a sustainable bridge and plaza.

Governance and Sustainability: Include community representation in bridge oversight. Provide a fraction of tolls for a fund to address concerns and sustainable development into the future.

For information: (313) 842-1961 • www.delraycbc.org • email: cbc@delraycbc.org

What is a Community Benefits process?

HB 4635 is part of the Border Accountability & Investment Bills that creates a community benefits process for a legally binding agreement for any new or future international border development in Michigan.

What is a Community Benefits process?

A CBA, or Community Benefit Agreement, is a project-specific, negotiated agreement between a developer and a broad community coalition that outlines the project's contributions to the community and ensures community support for the project that CBAs are legally binding. The Community Benefit Agreement process creates a win-win development that creates jobs and economic development and mitigates any negative impacts on the host community.

Michigan is home to three international border crossings. Development of our international border communities opens the door for tremendous opportunities for sustainable investments that will help revitalize our state and create jobs. For border developments to be a win-win for everyone involved, we must **ensure accountability and investment** for our communities and local businesses.

Examples of Community Benefits:

LAX CBA (Los Angeles, CA): Negotiated in February 2005 by LAANE. This groundbreaking CBA was signed by a public entity, the Los Angeles Airports Authority, and includes over \$500 million worth of community benefits commitments tied to the airport expansion, including local hire guarantees and \$15-million for job training programs, noise protections for adjacent schools and residences, investment in technologies to reduce diesel pollution, and a health impact study.

Dearborn Street CBA (Seattle, WA): Negotiated in August 2008 by Puget Sound Sage, this agreement constructs 200 units of affordable housing, ensures prevailing wages for construction jobs and apprenticeship utilization, ensures retail space for small businesses, provides \$200,000 for traffic mitigation, \$800,000 for various community uses to be determined, and other benefits.

Hill District CBA (Pittsburgh, PA): Negotiated in August 2008 by Pittsburgh UNITED, this agreement sets out comprehensive community benefits as part of the publicly financed new Penguins Arena and ancillary development. Benefits include funding to encourage the establishment of a full service grocery store, a neutrality agreement for all permanent jobs as part of the development, a local hire requirement, and a multi-purpose family center.

Oak to 9th CBA (Oakland, CA): Negotiated in July 2006 by the Oak to 9th Community Benefits Coalition, this agreement achieved affordable housing and local hire commitments at the 64-acre waterfront site--the largest project since World War II. The CBA includes a pipeline for 300 Oakland residents to construction careers with an emphasis on local residents.



Editorial: Local communities deserve benefits from bridge project

Jun 15, 2011

So-called community benefits agreements have become commonplace in large public works projects, especially in urban neighborhoods. It's easy to see why. Too often, the benefits of construction projects have been promised to low-income communities that never see them. They get the pollution and traffic; people outside the neighborhood get the jobs and reap the benefits.

A bill introduced by state Rep. Rashida Tlaib, D-Detroit, would help make sure that doesn't happen in Michigan, at least not on international crossing projects. It requires a community benefits agreement for the New International Trade Crossing (NITC) in southwest Detroit's Delray community. Tlaib's bill would also apply to any new international border crossing development in Michigan.

Legislators should approve the bill. It's a reasonable plan to ensure that communities derive certain benefits from the projects they host and continue to support them. Such a measure would have likely avoided the contentious relationship between southwest Detroit and the Ambassador Bridge. Ideally, Tlaib's

proposal should become part of more comprehensive legislation enabling the NITC project to move forward.

Tlaib's bill would require the project's contractor, developer or concessionaire to approve a community benefits agreement with a nonprofit organization representing the community. (In Delray, the Community Benefits Coalition would likely negotiate on behalf of the community.) The resulting agreement would cover job opportunities; monitoring of noise, vibration and air quality; truck routes that minimize residential impact; job training and education for neighborhood residents; and a plan to preserve and create parks and green space. The agreement would also guarantee adequate housing opportunities for the nearly 700 residents expected to be displaced by NITC.

Similar community benefits agreements have already worked around the country. In Los Angeles, for example, the Los Angeles Airports Authority in 2005 signed an agreement tied to the airport expansion

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that included guarantees for local hiring, \$15 million for job training programs, and noise protections for adjacent schools and residents.

Community benefits agreements can make large projects more predictable for developers, cities and communities -- while helping all of them prosper.

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Border Accountability and Investment Bi-partisan Package

Development of our international border communities opens the door for tremendous opportunities for sustainable investments that will help revitalize our state and create jobs. For border developments to be a win-win for everyone involved, we must ensure accountability and investment for our communities and local businesses.

These types of investments are not rare. Communities across the country have successfully guaranteed local investments with development projects. They have delivered local hiring guarantees, clean trucks programs to reduce impacts of diesel emissions, created economic development zones and neighborhood improvements to ensure that we support bridges to a healthy community.

The City of Port Huron received a number of community investments, including establishing tax relief for impacted businesses, received over a million dollars for an economic development study, and received a waiver in their local match requirement for road improvements. These were collectively called Bridge Accountability Bills, and they provide remedies for the impacts of a bridge plaza expansion.

The following bills will apply to all public international crossings and border communities:

Border Investment District: A bill that would create a border investment district around the impacted area of an international crossing. The purpose is to create an economic development area and direct various state departments to leverage resources that will foster job creation, strengthen housing opportunities, improve air quality and business investment.

Condemnation Relief for Residents: A bill that provides tax relief for homeowners who are displaced due to these types of transportation projects. This will create an incentive for those families that want to remain in Michigan. The bill passed the House with bipartisan support in 2010. **HB 4062-Geiss**

Fostering Economic Development: The bill would amend the Economic Development Corporations Act to qualify improvements that are made by the construction of an international bridge crossing that is constructed after 2010. This would help access resources and incentives for assembly of land and redevelopment opportunities.

Business Incentives: The bill would authorize the Michigan Strategic Fund (MSF) board to designate existing 25 renaissance zones for businesses located in border communities. This will provide incentives for businesses being displaced for projects to remain in the area and help attract new businesses. **HB 4737-Tlaib, SB-451 Hunter**

Expenditure Reporting: The bill would require the Michigan Department of Transportation to provide, at reasonable intervals, a written accounting of all expenditures related to the bridge construction, plaza expansion, interchange connections and other related expenditures with full explanations for any expenditure beyond those budgeted. - **Gilbert**

Community Benefits Process: A bill that would direct the Michigan Department of Transportation to create a community benefits process for all new bridge construction, expansion and related developments. This will guarantee public involvement and investment for job creation, business investment and improving public health. (This bill passed the House in 2010.) **HB 4635-Tlaib, SB 379-Young**

Minimizing costs to Municipalities: The bill would amend the Michigan Transportation Fund law to require the Michigan Department of Transportation to waive the cost of project to municipalities related to any public border crossing. Senator Gilbert passed the same bill for Blue Water Bridge that waived the local match requirement for the City of Port Huron. **HB 4636-Nathan, SB 372-Hood**



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June 6th, 2011

Dear Legislator,

The news over the past week had a strong focus on the Governor's intention to pass legislation to build The New International Trade Crossing (NITC). As the Legislature debates the merits of Senate Bills 410 and 411, we want you to know that The Economic Alliance for Michigan **supports** the NITC project and any necessary enabling legislation that is required to allow the state to enter into a Private Public Partnership for the bridge project. We also support requirements for community benefits.

EAM is just one of the many business, labor, community and governmental bodies supporting this important project. We hope as these bills come before you for a vote, you will support them and be a part of a historic endeavor that will help rebuild our economy by increasing trade for our businesses and creating short-term and long-term jobs for our workers.

Please feel free to contact us with any questions or concerns you may have.

Sincerely,

Bret Jackson
President

Sarah Roberts
Legislative Director

**Attached is a list of our members*

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HOUSE BILL No. 4635

May 11, 2011, Introduced by Reps. Tlaib, Santana, Geiss, Lipton, Hovey-Wright, Kandrevas, Stallworth, Haugh, Barnett, Bauer, Lane, Slavens, Smiley, Switalski, Rutledge, Jackson, Durhal, Brown and Meadows and referred to the Committee on Transportation.

A bill to amend 1964 PA 286, entitled

"An act to provide for the organization, powers, and duties of the state transportation commission and the state transportation department; to provide for the appointment, powers, and duties of the state transportation director; to abolish the office of state highway commissioner and the commissioner's advisory board and to transfer their powers and duties; to provide for penalties and remedies; and to repeal certain acts and parts of acts,"

(MCL 247.801 to 247.816) by adding section 6c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 6C. (1) IF THE DEPARTMENT ISSUES A REQUEST FOR PROPOSALS
2 FOR CONSTRUCTION OF AN INTERNATIONAL BRIDGE CROSSING PROJECT WHICH
3 BRIDGE DOES NOT EXIST ON THE EFFECTIVE DATE OF THE AMENDATORY ACT
4 THAT ADDED THIS SECTION, THE REQUEST SHALL REQUIRE THAT A COMMUNITY
5 BENEFITS AGREEMENT BE REQUIRED OF THE PROJECT'S CONTRACTOR,
6 DEVELOPER, OR CONCESSIONAIRE.

7 (2) BEFORE ANY REQUEST FOR PROPOSALS CONCERNING THE
8 CONSTRUCTION OF AN INTERNATIONAL BRIDGE CROSSING IS INITIATED, THE
9 DEPARTMENT SHALL CONSULT WITH THE HOST COMMUNITY AS REPRESENTED BY

HOUSE BILL No. 4635

1 A NONPROFIT ORGANIZATION WITH MEMBERS IN THE HOST COMMUNITY THAT
2 HAS ENGAGED RESIDENTS AND STAKEHOLDERS AND WHOSE ORGANIZATIONAL
3 PURPOSE IS TO ENSURE THAT THE INTERESTS OF RESIDENTS, BUSINESSES,
4 AND ORGANIZATIONS PROXIMATE TO THE HOST COMMUNITY ARE RECOGNIZED
5 AND PROTECTED IN A COMMUNITY BENEFITS AGREEMENT. THE DEPARTMENT
6 SHALL PROVIDE TECHNICAL SUPPORT, ADVICE, AND RESOURCES TO THE
7 NONPROFIT ORGANIZATION CONCERNING A COMMUNITY BENEFITS AGREEMENT.
8 AFTER RECEIVING THAT INFORMATION FROM THE DEPARTMENT BUT BEFORE THE
9 DEPARTMENT AND THE CONTRACTOR, DEVELOPER, AND CONCESSIONAIRE HAVE
10 MADE ANY AGREEMENTS CONCERNING CONSTRUCTION OF THE PROJECT, THE
11 NONPROFIT ORGANIZATION SHALL PROVIDE ITS CRITERIA FOR A COMMUNITY
12 BENEFITS AGREEMENT TO THE DEPARTMENT WITHIN A REASONABLE TIME FRAME
13 SET BY THE DEPARTMENT AND CONSISTENT WITH THE TIMELINE OF THE
14 SELECTION OR CONSTRUCTION PROCESS.

15 (3) THE COMMUNITY BENEFITS AGREEMENT SHALL INCLUDE, BUT NOT BE
16 LIMITED TO, ALL OF THE FOLLOWING AND A TIMELINE FOR ACCOMPLISHING
17 THE FOLLOWING, INCLUDING PENALTY PROVISIONS IF A TIMELINE IS NOT
18 MET, WHICH TIMELINE SHALL REQUIRE THAT ALL OF THE FOLLOWING BE
19 ACCOMPLISHED BEFORE THE INTERNATIONAL BRIDGE CROSSING IS OPEN TO
20 PUBLIC TRANSPORTATION:

21 (A) SPECIFIC MONITORING OF NOISE, VIBRATION, AIR QUALITY,
22 RESIDENTIAL HEALTH, AND TRUCK TRAFFIC BOTH SHORT- AND LONG-TERM IN
23 THE PROJECT AREA. THIS SHALL INCLUDE DESIGNATION OF TRUCK ROUTES
24 DESIGNED TO MINIMIZE THE IMPACT ON RESIDENTS, AND REDUCTION OF
25 TRUCK IDLE TIME AND DIESEL REDUCTION PLANS, INCLUDING INCENTIVE
26 PLANS, THAT PROTECT AND PROMOTE THE AIR OF HOST COMMUNITY
27 RESIDENTS.

1 (B) A PLAN TO ASSURE JOB TRAINING AND EDUCATION FOR HOST
2 COMMUNITY RESIDENTS AND ACCESS TO EMPLOYMENT OPPORTUNITIES AND TO
3 PROMOTE THE HIRING OF HOST COMMUNITY RESIDENTS ON THE INTERNATIONAL
4 BRIDGE CROSSING PROJECT IN THIS STATE, INCLUDING EMPLOYMENT
5 OPPORTUNITIES AND HIRING WITH THE PROJECT'S DEVELOPER, CONTRACTOR,
6 SUBCONTRACTORS, AND CONCESSIONAIRE.

7 (C) A PLAN TO ASSURE THAT ANY NEGATIVE IMPACT ON EXISTING
8 BUSINESSES IN THE HOST COMMUNITY IS MINIMIZED AND MITIGATED AND
9 THAT PROVIDES INCENTIVES FOR START-UP BUSINESSES TO BECOME
10 ESTABLISHED AFTER THE INTERNATIONAL BRIDGE OPENS TO PUBLIC
11 TRANSPORTATION.

12 (D) PRESERVATION AND CREATION OF PARKS AND DEVELOPMENT OF
13 GREEN SPACES.

14 (E) GUARANTEES THAT CURRENT RESIDENTS OF AFFECTED HOST
15 COMMUNITIES WILL RECEIVE FULL OPPORTUNITY FOR NEW HOUSING IF THEY
16 ARE DISPLACED AND SHALL NOT BE REQUIRED TO PAY OUT OF POCKET FOR
17 EXPENSES ASSOCIATED WITH DISPLACEMENT AND RELOCATION OR FOR HOME
18 REPAIR DUE TO DAMAGE CAUSED BY THE CONSTRUCTION.

19 (F) GUARANTEES THAT HOST COMMUNITY REPRESENTATIVES WILL SERVE
20 IN AN ONGOING ADVISORY CAPACITY ON THE PROJECT AND IN OVERSIGHT OF
21 THE CONSTRUCTION AND MAINTENANCE OF THE PROJECT.

22 (4) IF A CONTRACTOR, DEVELOPER, OR CONCESSIONAIRE THAT ENTERS
23 INTO A COMMUNITY BENEFITS AGREEMENT DEFAULTS IN THE PERFORMANCE OF
24 ITS ALLOCATED DUTIES, THE DEPARTMENT OR AUTHORIZED ENTITY,
25 INCLUDING A GOVERNMENT AGENCY, SHALL PERFORM THE ALLOCATED DUTIES.

26 (5) BY MARCH 1 OF EACH YEAR DURING THE DURATION OF THE
27 COMMUNITY BENEFITS AGREEMENT, THE DEPARTMENT SHALL SUBMIT A WRITTEN

1 REPORT QUANTIFYING THE PROGRESS TOWARD MEETING THE TIMELINES OF THE
2 COMMUNITY BENEFIT AGREEMENT TO THE SENATE AND HOUSE OF
3 REPRESENTATIVES STANDING COMMITTEES ON TRANSPORTATION ISSUES AND TO
4 THE HOST COMMUNITY.

5 (6) THE DEPARTMENT SHALL PROVIDE INFORMATION TO THE NONPROFIT
6 ORGANIZATION DESCRIBED IN SUBSECTION (2) CONCERNING THE PROPOSALS
7 THE DEPARTMENT RECEIVED. AFTER RECEIVING THAT INFORMATION FROM THE
8 DEPARTMENT BUT BEFORE THE SELECTION OF THE WINNING PROPOSAL, THE
9 NONPROFIT ORGANIZATION DESCRIBED IN SUBSECTION (2) SHALL PROVIDE
10 ITS ADVISORY RECOMMENDATIONS TO THE DEPARTMENT WITHIN A REASONABLE
11 TIME FRAME SET BY THE DEPARTMENT AND CONSISTENT WITH THE TIMELINE
12 OF THE SELECTION PROCESS.

13 (7) AS USED IN THIS SECTION:

14 (A) "COMMUNITY BENEFITS AGREEMENT" MEANS A CONTRACT BETWEEN
15 THIS STATE AND A CONTRACTOR, DEVELOPER, OR CONCESSIONAIRE THAT IS
16 OBTAINED WITH THE ADVICE OF THE NONPROFIT ORGANIZATION OF THE HOST
17 COMMUNITY THAT ADDRESSES HOST COMMUNITY CONCERNS INCLUDING, BUT NOT
18 LIMITED TO, THE AREAS LISTED IN SUBSECTION (3). A COMMUNITY
19 BENEFITS AGREEMENT SHALL NOT BE LIMITED TO A SATISFACTION OF ONLY
20 THE MINIMUM REQUIREMENTS UNDER FEDERAL LAW.

21 (B) "HOST COMMUNITY" MEANS THE NEIGHBORHOOD COMMUNITY IN WHICH
22 THE CONSTRUCTION IN THIS STATE FOR AN INTERNATIONAL BRIDGE CROSSING
23 PROJECT OCCURS, INCLUDING BRIDGE, PLAZA, AND DIRECT ACCESS ROAD,
24 AND WHERE RESIDENCES AND BUSINESSES ARE DISPLACED DUE TO THE
25 INTERNATIONAL BRIDGE CROSSING PROJECT.